Docket No. 20160/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Micah Chase et al.	Group:	2173
Application No.:	09/311,918	Examiner:	S. Luu
Filed:	May 14, 1999		

#22
4-12-02
B. Hilliard
1 of 3

For: *INTERACTIVE PRINT JOB DISPLAY SYSTEM AND METHOD*

****

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Board of Patent Appeals and Interferences, Assistant Commissioner of Patents, Washington, DC 20231 on:

By: _____ Date 3/4/02

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Board of Patent Appeals and Interferences

APPELLANTS' BRIEF (37 C.F.R. 1.192)

- This brief is in furtherance of the Notice of Appeal, filed in this case on January 4, 2002.
- The fees required under § 1.17(c), and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.
- This brief is transmitted in triplicate. (37 C.F.R. 1.192(a))
- This brief contains the following items under the following headings, and in the order set forth below (37 C.F.R. 1.192(c)):

The final page of the arguments bears the practitioner's signature

I. REAL PARTIES IN INTEREST (37 C.F.R. 1.192(c)(1))

The real party in interest in this appeal is the following party: Checkerboard, Ltd., as the assignee of record in the parent application of which the present application is a continuation thereof.

II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. 1.192(c)(2))

There are there are no other appeals or interferences that will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS (37 C.F.R. 1.192(c)(3))

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-20.

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 0
2. Claims withdrawn from consideration but not canceled: 0
3. Claims pending: 1-20
4. Claims allowed: NONE
5. Claims rejected: 1-20

C. CLAIMS ON APPEAL

The claims on appeal are: 1-20

IV. STATUS OF AMENDMENTS (37 C.F.R. 1.192(c)(4))

No amendment to the claims 1-20 have been filed in response to the Final Rejection, therefore no amendment has been entered after the Final Rejection.

V. SUMMARY OF INVENTION (37 C.F.R. 1.192(c)(5))

The present invention is directed towards an interactive image display system for displaying a printed article as it will ultimately appear when printed. Printed articles include invitations (e.g. weddings, birthdays), announcements etc. The user can interact with the interactive image display system to provide text, font and layout information for the printed article, and obtain feedback by viewing what the final printed article will look like. Prior art interactive systems typically only approximate what the final printed article will look like, by using a separate system to create the approximated image of final printed article. The separate systems typically use approximated font sizing and spacing, and often use a font different from the font that will be used to print the final printed article. If the font size is approximated, the

resulting displayed image can be inaccurate, for example a line of text may look fine when displayed to the user, but when printing in the actual font, the text may be larger and cause the line to overflow and break into two lines.

The present invention creates a single graphics description file, which is used **both** for displaying the image to the user, and to print the final printed article, thereby guaranteeing that the results are the same as the displayed image.

Claim 1, as amended recites as follows, with component labels added which refer to Fig. 2:

Claim 1: An interactive image display system (20) for displaying a printed article (50) as it will appear when printed (48), comprising:

a user interface component (30), to accept information from a user (28) for producing said printed article, and to display a graphic image representing said printed article to said user (28);

a graphic layout component (52), to process said information (32) and to produce a graphic description file (44, 58) based on said information, said graphic description file (44, 58) being the only file needed for a batch printing process (48) for printing said printed article (50); and

an image producing component (60), to process said graphic description file (44, 58) and produce said graphic image based on said graphic description file (44, 58), said graphic image for display to said user by said user interface component (30).

Independent Claims 14 and 18 recite similar subject matter and the following issue and arguments apply equally to all independent claims.

VI. ISSUES (37 C.F.R. 1.192(c)(6))

Issue 1: Whether Claims 1, 14, and 18 are patentable under 35 USC 103 (a) over Farros et al. ("Farros", US # 5,930,810) in view of Cheng et al. ("Cheng" US # 6,012,070).

VII. GROUPING OF CLAIMS (37 C.F.R. 1.192(c)(7))

The independent claims 1, 14 and 18 stand or fall together.

VIII. ARGUMENT (37 C.F.R. 1.192(c)(8)(iv)): REJECTION OF CLAIMS 1-20 UNDER 35 U.S.C. § 103(a)

Claims 1, 14 and 18 are patentable under 35 USC § 103

Claims 1, 14 and 18 are not anticipated or made obvious by either Farros or Cheng (separately or in combination), because neither Farros or Cheng disclose each and every feature of the invention as claimed. Specifically, neither reference discloses the concept of using information provided by the user to create single graphic description file, which is then used **both** for displaying a graphic image to the user, and for the batch printing process.

Farros (U.S. 5,930,810):

Farros discloses using different (and multiple) files for the process of displaying an image to a user, and for the process of printing the final article. To display the printed article as the user is entering data, Farros uses an FDF (format definition file) which contains information regarding how the printed product can be filled in by the user. See Farros Column 4, Lines 39-48 and Fig. 1. The FDF contains the use of specific data and is modified as the user changes layout and other information. See Farros Column 9, Lines 60-67.

For printing, Farros uses two files: an encapsulated postscript file (EPS), which is created **before** any users interact with the system, and a CXX file which contains 'customizing information'. See Fig. 1. The EPS file is a "template" of how a generic printed product will look, completely separate from any user-added personalization data. The EPS file is not modified by the user when the user is laying out the printed article. In fact, the EPS file is only used directly by the printing process at the end. Instead, Farros uses a CXX file which contains the information for the form design and all personalized data for each printed product. See Farros Column 5, Lines 15-23.

Therefore, Farros does **not** use the same graphic description file to display the printed article as will be used in the batch printing process.

The Examiner stated in the Advisor Action dated December 26, 2001 that "by disclosing that the display of pre-printed media on the display to provide the user with an accurate What You See is What You Get (WYSIWYG) representation, (col. 6 lines 58-65), Farros obviously indicates what is displayed to the user is the same as what will be printed." Appellant respectfully points out that this feature is a goal of Farros (and the present invention), but whether Farros achieves this or not, this is not what is recited by the claims.

Cheng (U.S. 6,012,070):

Cheng discloses a system generally very similar to Farros. In fact, Cheng is also similar to Farros in that Cheng uses different files and formats to display an image to a user, than to finally print the article.

The system described in Cheng uses different graphics files for displaying graphics to the user on a user station (low resolution, and/or black and white), and for printing graphics in the final article (high resolution). The high resolution graphic files are stored at the printing facility, and are not transmitted as part of a customer order. See Col. 2 lines 25-48.

Cheng further discloses:

"Step 2: Any graphics that will be utilized to create the customized documents are converted to digital format (11), in both high (12) and low resolutions (13). High resolution graphics (12) are maintained at the printing facility. Low resolution graphics (13) are stored at the end user site. " See Col. 5 lines 7-11.

And:

"It will thus be seen that according to the present invention an effective method has been provided for the production of customized business forms or brochures by utilizing low resolution graphic templates, yet the forms/brochures produced being physical (e.g. paper) documents with high resolution color graphics."
See Col 12 lines 11-16.

At the print facility, Cheng discloses producing a graphics file for printing:

"At the customer service station 105 an order contract 108 and job ticket 109 are produced, which are conventional items that are necessary or desirable in printing facilities 28, while at the production station 106 a postscript file 110 is produced, as is conventional per se."
See Col. 10 lines 29-53.

And:

"Step 6: Create a print ready file, such as a Postscript file 110, for each customized document. This file is loaded to the printer for production. After production, the order is shipped to the customer."
See Col. 11 lines 34-48.

Therefore, Cheng also does **not** use the same graphic description file to display the printed article as will be used in the batch printing process. In fact, Cheng suffers from the same problem as Farros: what is displayed to the user is produced using different data than what will be ultimately printed. Neither Farros or Cheng teach the advantage of "an image producing component, to process said graphic description file and produce said graphic image based on said graphic description file, said graphic image for display to said user by said user interface component", as recited in Claim 1. Farros and Cheng both display images to the user which are not created using the one graphics description file which is used for the batch printing process. The result is that what the user sees is an approximation of what the final printed result will be.

The Examiner stated in the Advisor Action dated December 26, 2001 that "the teaching that is gleaned from Cheng is the generation and transmission of "one" single electronic file, which is a graphic description file, to the remote printing installation. This single file is all that is need to transmit to the remote location for printing the desired printed article regardless of the amount and type of information that are contained therein. Therefore, it would have been obvious to apply Cheng's specific teaching of using only a single file for transmission to Farros' system instead of a plurality of files. The motivation would have been to simplify the management of files to be transmitted as well as to improve on the efficiency and compactness of information to be transmitted."

Appellants respectfully point out that this argument is incorrect on several points. First, Cheng does not transmit the single graphics file to the remote printing installation. Cheng **creates** the graphics file at the remote location. See Col. 11 lines 34-48.

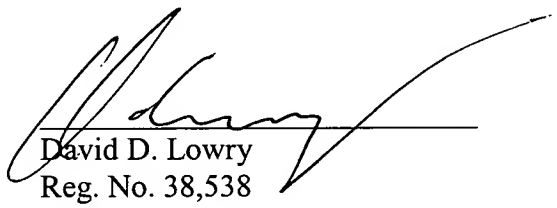
Next, Cheng in fact teaches away from this idea of providing a complete file because Cheng emphasizes the feature of not having to transmit graphics and other information to the printing facility. See Col. 2 lines 39-59.

Finally, as described earlier, neither Farros or Cheng disclose the concept of using information provided by the user to create single graphic description file, which is then used **both** for displaying a graphic image to the user, and for the batch printing process.

Accordingly, Appellants respectfully assert that neither Farros or Cheng, taken alone or in combination, disclose each and every element of the claimed inventions. It is respectfully requested that this rejection be withdrawn.

For the reasons advanced above, Appellants respectfully contend that each claim is patentable. Therefore, reversal of all rejections is earnestly solicited.

Respectfully submitted,



David D. Lowry
Reg. No. 38,538
Customer No. 21710
Brown, Rudnick, Freed & Gesmer, P.C.
One Financial Center
Boston, MA 02111
617.856.8399

Dated: March 4, 2002

IX. APPENDIX: CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. 1.192(c)(9))

The text of the claims involved in the appeal are:

1. An interactive image display system for displaying a printed article as it will appear when printed, comprising:

a user interface component, to accept information from a user for producing said printed article, and to display a graphic image representing said printed article to said user;

a graphic layout component, to process said information and to produce a graphic description file based on said information, said graphic description file being the only file needed for a batch printing process for printing said printed article; and

an image producing component, to process said graphic description file and produce said graphic image based on said graphic description file, said graphic image for display to said user by said user interface component.

2. The interactive image display system of claim 1, wherein said user interface component maintains said information from said user, allowing said user to modify a part of said information in order to view changes in said displayed printed article.

3. The interactive image display system of claim 2, wherein said user interface component maintains said information from said user, allowing said graphic layout component to produce a graphic description file, and said image producing component to produce a graphic image for a different printed article.

4. The interactive image display system of claim 3 wherein said information maintained by said user interface component is used for preparing a print job for said user.

5. The interactive image display system of claim 1 wherein said graphic image is displayed with a background image representing an article to be printed on.

6. The interactive image display system of claim 5 wherein said background image is an image of paper stock to be printed on.

7. The interactive image display system of claim 5 wherein said background image is sized to be a same size as said graphic image.

8. The interactive image display system of claim 1, the user can modify font sizes by specifying a percentage increase or decrease.

9. The interactive image display system of claim 1 wherein said graphic description file is a Postscript file.

10. The interactive image display system of claim 1 wherein said information from said user includes an indication of a predefined template, said predefined template including layout information for a printed article; and

said graphic layout component, uses said predefined template to produce said graphic description file.

11. The interactive image display system of claim 10 wherein said predefined template includes at least one area for printing.

12. The interactive image display system of claim 1 wherein said interactive image display system provides graphic images representing a plurality of related printed articles from said information from said user.

13. The interactive image display system of claim 1 wherein said user interface component interacts with said user over the Internet.

14. On a computer system, a method of displaying a printed article as it will appear when printed, comprising:

obtaining text information to be printed on said printed article;

selecting a predefined template, said predefined template including at least one area for printing;

producing a graphic description file based on said text information and predefined template, said graphic description file to be used in a printing process to produce said printed article, wherein only said graphic description file needed in said printing process;

processing said graphic description file into a graphic image for display on a display device, said processing including providing a background image for said graphic image, wherein said background image representing an article to be printed on.

15. The method of claim 14 wherein said provided background image is an image of paper stock to be printed on.

16. The method of claim 14 wherein said step of providing a background image for said graphic image, includes providing said background image which is a same size as said graphic image for display.

17. The method of claim 14 further including the steps of:

upon receiving an indication that said printed article is to be printed, storing said text information and an indication of said selected predefined template along with an order indication number; and

upon receiving an indication that said printed article is ready to be printed, producing a graphic description file based on said text information and predefined template, said graphic description file to be used for said printing process.

18. An interactive image display system for displaying a printed article as it will appear when printed, comprising:

means for interacting with a user for obtaining and modifying information for producing said printed article;

processing means for processing said information and producing a graphic description file based on said information, said graphic description file being the only file needed for printing said printed article;

display means for reading said graphic description file and displaying an image corresponding to said graphic description file of said printed article to said user for viewing; and

storage means for storing said graphic description file for printing said printed article.

19. The interactive image display system of claim 18 wherein said printed article includes a plurality of related printed articles, said plurality of related printed articles each using at least a part of said information from said user.

20. The interactive image display system of claim 18 wherein said means for interacting with a user includes an interactive web site remotely accessible users.